IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 12th day of September 2003
Bail Application No.740/2003

CRIMINAL SIDE

Shamsher Singh,
S/o Shobha Ram,
R/o 29/3 Nai Basti,: Guru Road
P.S. Patel Nagar
District Dehradun ..Applicant.

Versus

State of Uttaranchal ..Opposite party.

Arising out of case crime NO. 7 of 2003
Under section 498-A, 304-B IPC & Sec. ¾ of Dowry Prohibition Act,
P.S. Patel Nagar.
District –Dehradun.

By the court

Hon'ble Irshad Hussain J.

Heard Sri Ramji Srivastava, learned counsel for the applicant, learned A.G.A. and Sri Vinod Sharma learned counsel for the complaint.

This is a dowry death case and the victim; Smt. Uma died unnatural death after about 3 months of her marriage. The applicant-accused is the father-in-law of the victim. There is definite allegation of Ill-treatment and harassment in connection with the demand of dowry even against the applicant-accused. Perused the post mortem report. She had ante mortem injures and she was admitted in the hospital in battered state. Considering this it is not a fit case for bail.

The learned counsel for the applicant-accused also submitted that the applicant-accused is a heart patient and he need special treatment at Delhi. I have gone through the record consisting of the medical prescriptions but do not fine myself in agreement with the submission that it is a case of cronic heart disease or that the applicant-accused was suffering from any serious heart ailment prior to the occurrence. On this ground also the bail can not be granted. The bail application is dismissed.

(Irshad Hussain J.)

Dated:12-9-2003
ISB